

**Commonwealth of Massachusetts
Office of Medicaid**

NOTICE OF PROPOSED AMENDMENT OF REGULATIONS

MassHealth proposes to amend its regulations under the authority of M.G.L. c. 118E, ss. 7 and 12 and pursuant to M.G.L. c. 30A. MassHealth describes the substance of the proposed actions as amendments to regulations found at 130 CMR 409.000: Durable Medical Equipment Services.

The Executive Office of Health and Human Services (EOHHS) proposes amendments to 130 CMR 409.000 to update definitions to incorporate terms to support regulation amendments, clarify agency policy regarding the circumstances in which the MassHealth agency will replace a member's primary mobility system, clarify when a prescription, letter of medical necessity (LMN), or a combination of a prescription and LMN must be signed and dated by the ordering practitioner, to add a provision to clarify when the MassHealth agency will repair a member's serviceable retired backup power wheelchair as an enhanced benefit, and to support an American Rescue Plan Act (ARPA) initiative.

It is anticipated that these amendments will not go into effect before May 27, 2022. There is no fiscal impact on cities and towns.

All persons desiring to submit data, views, or arguments concerning these proposed actions may email them to masshealthpublicnotice@mass.gov as an attached Word or PDF document or as text within the body of the email with the name of the regulation in the subject line. All submissions must include the sender's full name, mailing address, and organization or affiliation, if any. Individuals who are unable to submit comments by email should mail comments to EOHHS, c/o D. Briggs, 100 Hancock Street, 6th Floor, Quincy, MA 02171. Comments will be accepted through 5:00 p.m. on Friday, March 11, 2022. EOHHS specifically invites comments as to how the amendments may affect beneficiary access to care.

All persons desiring to review the current draft of the proposed actions may go to www.mass.gov/service-details/masshealth-public-notices or request a copy in writing from MassHealth Publications, 100 Hancock Street, 6th Floor, Quincy, MA 02171.

MassHealth may adopt a revised version of the proposed actions taking into account relevant comments and any other practical alternatives that come to its attention.

February 18, 2022